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April 1, 2025

Via ECF

Hon. Kenneth M. Karas
The Hon. Charles L. Brieant Jr. Federal Building and United States Courthouse
300 Quarropas St.
White Plains, NY 10601-4150

Re: *Jeffrey Millman, et al. v. Ethos Risk Services, LLC, et al.*, No. 24-cv-4370 (KMK)
(VR) (S.D.N.Y.)

Dear Judge Karas:

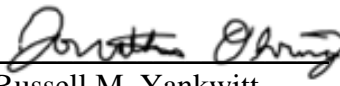
We represent defendant Ethos Risk Services, LLC (“Ethos”) in the above-captioned action. Pursuant to the Court’s directive (ECF No. 79), we write in response to Plaintiffs’ March 24 and March 26 letters (ECF Nos. 76 and 77) seeking leave to file a Second Amended Complaint adding Emperion MCN f/k/a Genex Services as an additional defendant to this action and adding one claim against Ethos.

As discussed in the parties’ joint letter, dated March 20, 2025 (ECF No. 73), which the Court so-ordered (ECF No. 74), Ethos and the other defendants anticipate filing motions to dismiss the Second Amended Complaint, should leave to amend be granted. Given that Ethos will seek dismissal of Plaintiffs’ claims in its anticipated motion to dismiss, Ethos takes no position on Plaintiffs’ instant request for leave to file the Second Amended Complaint.¹

Ethos’s position should not be construed as an acknowledgment that the additional claim (or any other claim) asserted by Plaintiffs against Ethos in the proposed Second Amended Complaint has any merit. Nor should it be construed as a waiver of Ethos’s right to move to dismiss the new claim or prior claims. To the contrary, Ethos intends to seek dismissal of the new claim (along with Plaintiffs’ other claims against Ethos) in the motion to dismiss, and Ethos therefore reserves all rights.

We thank the Court for its attention to this matter.

Respectfully submitted,
YANKWITT LLP

By: 
Russell M. Yankwitt
Jonathan Ohring

cc: All counsel of record

¹ Should Plaintiffs’ request for leave to amend be denied, Ethos anticipates filing a motion to dismiss all claims in the First Amended Complaint.